

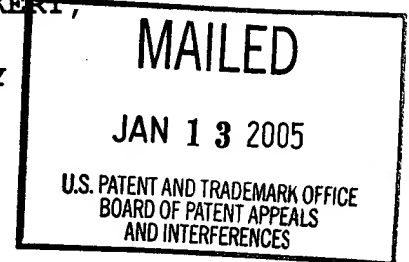
The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte HANS-URICH PETEREIT; THOMAS BECKERT,
MANFRED ASSMUS, WERNER HOESS,
WOLFGANG FUCHS and HARTMUT SCHIKOWSKY

Application No. 09/913,720



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 15, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below.

Appellant filed two Information Disclosure Statements, the first one dated December 17, 2001 and the second one dated October 5, 2004. It is not clear from the record that the Information Disclosure Statements have been considered or

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acknowledged under §§ 1.97 and 1.98. The Information Disclosure Statements needs to be considered.

Accordingly, it is

Ordered that the application is returned to the Examiner for

1) consideration of the Information Disclosure Statements dated December 17, 2001 and October 5, 2004;

2) written notification to appellants regarding the result of the examiner's consideration; and

3) for any further action as deemed appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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